

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-9 are pending in the present application, Claims 1-6 having been presently amended.

In the outstanding Office Action, Claims 1-9 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Claims 1-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato (U.S. Pat. No. 6,130,884) in view of Needham et al (U.S. Pat. No. 6,188,767).

Regarding the 35 U.S.C. § 112, second paragraph, rejections to Claims 1-9, the claims have been amended to address the issues identified in the Office Action as indefinite. Thus, it is respectfully submitted that the 35 U.S.C. § 112, second paragraph, rejection has been overcome.

In response to the U.S.C. § 103(a) rejection, although the Office Action asserts that column 4, lines 34-38, in Needham et al suggests assigning a code associated with each base station group including more than one base station, Applicants respectfully submit that Needham et al do not necessarily suggest assigning a code associated with each base station group including more than one base station. Column 4/lines 34-38 of Needham et al simply discloses that "multiple base stations are used to relay transmissions from a sourcing location to multiple destination locations." This disclosure simply suggests that data are relayed from a mobile station in a cell to mobile stations in multiple cells via multiple base stations, but does not suggest anything about assigning a code to multiple base stations. For instance, relaying data from a mobile station in a base station to another mobile station in another base station can be realized even when different long codes are assigned to the base stations.

In the system of Needham et al, the base station identifies a group on the basis of a talkgroup identifier (see column 4, lines 39-42 and 58-60, therein). In addition, the mobile station (see column 5, lines 6-19) identifies a group on the basis of the talkgroup identifier.

This procedure in Needham et al is similar to that in the conventional technology disclosed in the specification, page 4, line 27, to page 5, line 4, for example. In other words, in Needham et al and in the conventional technologies disclosed in the specification, an identifier that is different from a spreading code (i.e., different from a long code) is used for identifying a mobile station or for identifying a base station belonging to a group.

In contrast, according to the presently defined inventions, a spreading code itself functions as an identifier of a group, so that a mobile station does not need to check an identifier, and the mobile station can on the basis of the spreading code readily identify a base station with which the mobile station can communicate (See for example the specification, page 8, line 35, to page 9, line 5).

Hence, with Needham et al; not disclosing or suggesting this feature for using the spreading code to function as an identifier of a group, it is respectfully submitted that independent Claims 1-6 and the claims dependent therefrom patentably define with the applied prior art.

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Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER AND NEUSTADT, P.C.



Eckhard H. Kuesters
Registration No. 28,870
Attorney of Record
Ronald A. Rudder
Registration No. 45,618

CUSTOMER NUMBER
22850

Tel.: (703) 413-3000
Fax: (703) 413-2220
EHK:RAR:clh
I:\ATTY\RAR\AMENDMENTS\6342\0039\AM.DOC